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March 29, 2020

**BY ECF**

The Margo K. Brodie  
United States District Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

**RE: United States v. Daniel Capaldo, et al.,**  
**19 Cr. 442 (ILG)**  
**EMERGENCY BAIL APPLICATION (Supplemental letter)**

Honorable Judge Brodie:

I understand Your Honor will be conducting the bail hearing telephonically tomorrow at 11:00 A.M. for Mr. Capaldo. Please accept this supplemental letter to my original motion.

In this letter, I am including four more exhibits. [EXHIBIT 4] is an affidavit from Dr. Mazan Rabadi M.D. who can inform the Court that Mr. Capaldo's prognosis for survival in his present medical condition if he becomes infected with COVID -19 is **poor**. [EXHIBIT 5] is Mr. Capaldo's medical record of treatment for Bronchitis in January of 2018 and a statement from his healthcare provider that Mr. Capaldo suffers from Chronic Obstructive Pulmonary Disease (COPD). [ EXHIBIT 6] is an affidavit from Dr. Jonathan Louis Golob, an Assistant Professor of Medicine at the University of Michigan Medical School, who corroborates that COVID-19 patients with lung disease . . . "living in an institutional setting . . . are at **grave risk of severe illness and death.**"

Likewise, I have been informed by the Federal Defender's Office that **Mr. Capaldo is on a list of inmates that the United States Marshall's Service considers vulnerable to the Corona Virus**. Finally, [EXHIBIT 7] is an article reporting that on Saturday March 28 Patrick Jones became the first Bureau of Prisons inmate in Oakdale, Louisiana to die in custody because of COVID-19.

Respectfully submitted,

*Peter Guadagnino*

Peter Guadagnino, Esq.

Attorney for Daniel Capaldo

cc: A.U.S.A. Elizabeth Geddes